IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

DAVIDSON et al.

Atty. Ref.: 4398-555

Serial No. 10/584,711

TC/A.U.: TBA

Filed: June 26, 2006

Examiner: TBA

For: COMPACT ORONASAL PATIENT INTERFACE

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June 28, 2007

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

Listed on accompanying Form PTO/SB/08a is information that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. At least one of the boxes below applies to the present application:

- 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No statement under 37 C.F.R. § 1.97(e) or fee is required.
 - a. Contingent Request to Treat Under 37 C.F.R. § 1.97(c)

 In the event a first Office Action has been mailed prior to filing of the present Information Disclosure Statement and the Office Action was mailed more than three months since the filing of the application (for regular applications not including CPAs or RCEs), the Office is requested to treat the present paper as a submission under 37 C.F.R. § 1.97(c) and charge the

undersigned's Deposit Account No. 14-1140 for the fee required by 37 C.F.R. § 1.17(p). The present paper is submitted in duplicate for this purpose.

b. Contingent Request to Treat Under 37 C.F.R. § 1.97(e)(1)
In the event a first Office Action has been mailed prior to the filing of the present Information Disclosure Statement, and the Office Action was mailed more than three months since the filing of the application (for regular applications not including CPAs or RCEs), the Office is requested to treat the present paper as a submission under 37 C.F.R. § 1.97(e)(1) in that the undersigned hereby states that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

b.1. Patent Term Adjustment

I hereby certify that each item of information was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in Section 1.56(c) more than 30 days prior to the filing of the Information Disclosure Statement. 37 C.F.R. §1.704(d).

c. Contingent Request to Treat Under 37 C.F.R. § 1.97(e)(2)

In the event a first Office Action has been mailed prior to the filing of the present Information Disclosure Statement, and the Office Action was mailed more than three months since the filing of the application (for regular applications not including CPAs or RCEs), the Office is requested to treat the present paper as a submission under 37 C.F.R. § 1.97(e)(2) in that the undersigned hereby states that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my

knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2). 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance. I hereby state that each item of information contained in this a. Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1). Contingent Request Under 37 C.F.R. § 1.97(d). In the event a Notice of Allowance or a Final Rejection has been mailed prior to filing this Information Disclosure Statement, the Office is authorized to treat this as a submission under 37 C.F.R. 1.97(d) and charge the undersigned's Deposit Account No. 14-1140 for the fee required by 37 C.F.R. § 1.17(p). The present paper is submitted in duplicate for this purpose. Patent Term Adjustment a.1. I hereby certify that each item of information was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in Section 1.56(c) more than 30 days prior to the filing of the Information Disclosure Statement. 37 C.F.R. §1.704(d). b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this

Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2). Attached is our check in the amount of \$ in payment of the fee under 37 C.F.R. § 1.17(p). 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee 37 C.F.R. § 1.97(d). It is hereby requested that the Information Disclosure Statement be considered. Attached is our check in the amount of \$ in payment of the fee under 37 C.F.R. § 1.17(i). I hereby state that each item of information contained in this a. Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1). Patent Term Adjustment a.1. I hereby certify that each item of information was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in Section 1.56(c) more than 30 days prior to the filing of the Information Disclosure Statement. 37 C.F.R. §1.704(d). I hereby state that no item of information in this Information b. Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

docket number 4398-555.

4.	Relevance of the non-English language document(s) is discussed in the						
present specif	Cication.						
5.	The document(s) was/were cited in a corresponding foreign application						
An English la	inguage version of the foreign search report or official action is attached for						
-	's information. See MPEP § 609.						
	a. U.S. Patent No. is indicated in the foreign search report or						
	Official Action as being in the same patent family and/or the English-						
	language equivalent of listed on the attached foreign search report.						
6.	A concise explanation of the relevance of the non-English language						
document(s)	appears below:						
7.	Copies of the documents were cited by or submitted to the Office in						
Application N	No. , filed , which is relied upon for an earlier filing date under						
35 U.S.C. § 1	20. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).						
8.	The publication date (e.g., month or year) of at least one of the listed						
documents is	not available. For each document in this category, the Office is requested						
to assume tha	t the year of publication of each listed document is earlier than the effective						
U.S. filing da	te and/or any foreign priority date.						
9.	☐ The publication date of at least one document is listed on the attached						
PTO/SB/08a	based on information presently available to the undersigned. However,						
each listed pu	ablication date should not be construed as an admission that the information						
was actually	published on the date indicated, and the right to challenge each listed						
publication d	ate is expressly reserved by Applicant(s).						
It is re	spectfully requested that the Examiner initial and return a copy of the						
enclosed PTC	D/SB/08a, and to indicate in the official file wrapper of this patent						

application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 14-1140 referencing

DAVIDSON et al. Serial No. 10/584,711

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:

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Sheet 1	of 1		OIPE 400						
INFORMATION DISCLOSURE CITATION		4398- APPLIC	JUN 2 8 2007	SERIAL NO. 10/584,711					
(Use several sheets if necessary)			IDSON et al.	GROUP					
		June	26, 2006	TBA					
U.S. PATENT DOCUMENTS									
*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS		DATE OPRIATE		
INTIAL	US 2006/0237017	10/2006	DAVIDSON et al.	OLASS	JOBOLAGO	II ALLIN	OFTIMALE		
	US 2006/0283461	12/2006	LUBKE et al.						
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		FOF	REIGN PATENT DOCUMENTS						
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	OTHER DOCL	JMENTS (ir	ncluding Author, Title, Date, Per	tinent pages, e	tc.)				
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*Examiner Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; drawin line through citation if not in conformance and not considered. Initial this form with next communication to application.

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